

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

---

In re Patent Application of:  
SIDDIQUI-JAIN, *et al.*

Application No.: 10/579,882

Confirmation No.: 5963

Filed: November 12, 2004 (International)

Art Unit: 1631

For: METHODS FOR IDENTIFYING  
MODULATORS OF QUADRUPLEX  
NUCLEIC ACIDS

---

Examiner: Not Yet Assigned

**PETITION UNDER 37 C.F.R. § 1.47(a)**

MS PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This Petition is being filed in response to the Notification of Missing Requirements Under 35 U.S.C. § 371 in the United States Designated/Elected Office, mailed February 1, 2007, for which a response is due September 1, 2007. Since September 1, 2007 falls on a Saturday and Monday September 3, 2007 was a holiday, a response is due September 4, 2007. Accordingly, this response is timely filed.

Pursuant to 37 CFR § 1.47(a) co-owners and real-parties-in-interest, Cylene Pharmaceuticals, Inc., and the Arizona Board of Regents on behalf of The University of Arizona, respectfully state that to date, they have been unsuccessful in securing the signature of one of the named co-inventors to this application, that being Laurence H. HURLEY, and hereby request that this application be accepted for examination under 37 CFR § 1.47(a).

Cylene Pharmaceuticals, Inc., and the Arizona Board of Regents on behalf of The University of Arizona respectfully request that the attached Declaration under 37 C.F.R. § 1.63 (the “Declaration”) be accepted without the signature of Laurence H. HURLEY. This action is necessary to preserve the rights of the co-owners, Cylene Pharmaceuticals, Inc., and the Arizona Board of Regents on behalf of The University of Arizona. Otherwise, irreparable damage would result since the application would not be properly filed.

Named co-inventor Laurence H. HURLEY is an employee of The University of Arizona.

A bona fide and unsuccessful effort was made to present the Declaration and specification as filed to inventor Laurence H. HURLEY for his review and execution. Applicants have been unable to locate the named co-inventor to obtain his signature.

Laurence H. HURLEY's last known work address is:

The University of Arizona  
1515 North Campbell Avenue, Room 4949  
Tucson, Arizona 85724

This also is believed to be his current work address.

The University of Arizona office of technology transfer attempted to contact the named co-inventor in his laboratory at the University, and the attempt to contact him was unsuccessful.

The below-referenced attorney/agent of record has been authorized by the co-owners and real-parties-in-interest, Cylene Pharmaceuticals, Inc., and the Arizona Board of Regents on behalf of The University of Arizona, to sign on their behalf.

For the foregoing reasons, Applicants respectfully request that this application be accepted for examination under 37 CFR § 1.47(a). Applicants respectfully request that the Office kindly accept the filing of the above-referenced Declaration under § 1.47(a), and issue a notice to the same.

A fee of \$200 prescribed under 37 CFR § 1.17(g) is included to cover the Petition fee. The Commissioner is authorized to apply any uncovered charges, or any credits, to Deposit Account No. 03-1952, Ref. 532232001400.

If the Petitions Attorney believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (858) 720-7961.

Dated: September 4, 2007

Respectfully submitted,

By\_/Brenda J. Wallach/\_\_\_\_\_

Brenda J. Wallach, Ph.D.

Registration No.: 45,193

MORRISON & FOERSTER LLP

3811 Valley Centre Drive, Suite 500

San Diego, California 92130

(858) 720-7961